

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:12-CR-127
v.)	
)	Judge Curtis L. Collier
CARLOS FALLINS)	

ORDER

On October 15, 2012, Defendant filed an unopposed motion for a psychiatric and/or psychological examination (Court File No. 11). United States Magistrate Judge Susan Lee granted Defendant's motion and ordered a mental health evaluation (Court File No. 12). The findings of the sealed forensic report show Defendant is not currently suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings filed against him or to properly assist in his defense, and he is competent to stand trial. Moreover, the findings show Defendant was sane at the time of the alleged offense and did not suffer from a mental illness that interfered with his ability to appreciate the nature and quality or wrongfulness of his actions. Defendant has waived his right to a competency hearing (Court File No. 17).

Based upon this information, Magistrate Judge Lee has submitted a Report and Recommendation ("R&R"), recommending this Court find Defendant competent to stand trial (Court File No. 21). Neither party filed an objection. Therefore, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's R&R (Court File No. 21), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to understand the nature and consequences of the proceedings against him, able to assist in his defense, and competent stand trial.

SO ORDERED.

ENTER:

/s/ _____
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE